

*REMARKS/ARGUMENTS**The Pending Claims*

Claims 1-18 are pending currently and are directed to a flameproof moulding composition and a method of producing a moulded article therefrom. Reconsideration of the pending claims is respectfully requested.

The Amendments to the Claims

Claims 1, 12 and 18 have been amended to recite that the moulding composition consists of the components recited in the pending claims, rather than consists essentially of such components. This amendment is supported by the specification in, e.g., Examples 1 and 2. No new matter has been added by way of these amendments.

Summary of the Office Action

Claims 1-13 stand again rejected under 35 U.S.C. § 103(a) as obvious over Kleiner et al. (i.e., U.S. 5,773,556) in view of Koch et al. (i.e., U.S. 5,071,924).

The Obviousness Rejection

The obviousness rejection is respectfully traversed and, in any event, is believed moot in view of the amendments to the claims. Kleiner et al. and Koch et al., taken alone or in combination, fail to teach or suggest the invention recited by the pending claims as amended.

The pending claims, as amended, are directed to a flameproof polyamide moulding composition where the polyamide consists of a semi-aromatic, partially crystalline polyamide. Koch et al. does not teach or suggest the use of a polyamide consisting of a semi-aromatic, partially crystalline polyamide. To the contrary, as previously discussed in the Office Action dated August 06, 2009, Koch et al. is directed to thermoplastic molding materials comprising a blend of polyamides, containing as essential components (A) a partly aromatic amide copolymer consisting essentially of units derived from terephthalic acid and hexamethylenediamine, units derived from caprolactam, and units derived from adipic acid and hexamethylenediamine and (B) partly crystalline thermoplastic polyamide which differs from (A). See Koch et al., at, e.g., Abstract; col. 1, ll. 5-25. Koch et al. further teaches away

from the invention recited in the pending claims by teaching that partially aromatic amide copolymers often do not have satisfactory rigidity. See Koch et al., e.g., at col. 1, ll. 31-54.

Kleiner et al. fails to cure the deficiencies of Koch et al. Kleiner et al. is directed to a polyamide moulding composition where the polyamide is aliphatic (e.g., nylon 6 or nylon 66). Nothing in Kleiner et al. teaches or suggests that the moulding composition can comprise a semi-aromatic, partially crystalline polyamide.

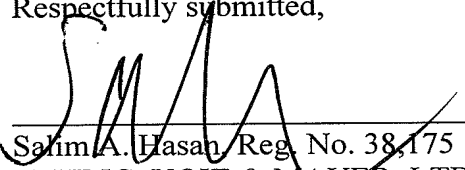
Accordingly, both Kleiner et al. and Koch et al., taken alone or in combination, fail to teach or suggest a moulding composition *consisting of* (a) 30 - 80% by weight of a semi-aromatic, partially crystalline polyamide, (b) 1-30% by weight of a flame retardant, containing a phosphinic acid salt of formula (I) and/or a diphosphinic acid salt of formula (II) and/or polymers thereof, (c) 5-60% by weight of a fibre- or particle-like filler or mixtures thereof, and (d) 0.05-10% by weight additives as recited by the pending claims.

Since Kleiner et al. and Koch et al., taken alone or in combination, fail to teach or suggest each and every element of the pending claims, Applicants submit that the obviousness rejection is improper and should be withdrawn.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Salim A. Hasan, Reg. No. 38,175
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6731
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: November 5, 2009